

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 09/29/2014
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ALASKA ELECTRICAL PENSION FUND, on Behalf of Itself and All Others Similarly Situated,	:	No. 14-cv-7126 (JMF)
	:	
	:	<u>CLASS ACTION</u>
	:	
Plaintiff,	:	STIPULATION AND <del>PROPOSED</del> ORDER
	:	REGARDING SERVICE AND
vs.	:	SUBSTITUTION OF PARTY
	:	
BANK OF AMERICA CORPORATION, et al.,	:	
	:	
Defendants.	:	
	:	

WHEREAS, on September 4, 2014, plaintiff Alaska Electrical Pension Fund ("Plaintiff") filed a complaint (the "Complaint") in the above-captioned action (the "*Alaska Electrical Action*") against the above-captioned defendants ("Defendants"); and

WHEREAS, the Complaint named Nomura Holdings, Inc. ("NHI") as a Defendant;

WHEREAS, NHI has not been served or appeared in this action; and

WHEREAS, counsel for Plaintiff and counsel for Nomura Securities International, Inc. ("NSI") have conferred and have agreed to substitute NSI as a defendant in place of NHI in the *Alaska Electrical Action*;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among Plaintiff and NSI, by their respective counsel of record, as follows:

1. Plaintiff hereby voluntarily dismisses without prejudice NHI as a Defendant pursuant to Fed. R. Civ. P. 41(a).

2. NSI is hereby substituted, *nunc pro tunc*, as a defendant in place of NHI in the *Alaska Electrical* Action. The caption shall be amended to reflect this stipulation.
3. Undersigned counsel for NSI agrees to accept service of process on behalf of NSI.
4. Except as to the defense of insufficiency of service of process on NSI in this action, no defense of any of the Defendants, including NHI, including without limitation, service or defenses based upon lack of personal jurisdiction, is prejudiced or waived by NSI executing, agreeing to, joining, or filing this Stipulation. The executing, agreeing to, joining, or filing this Stipulation by counsel for NSI does not constitute an appearance on behalf of NHI.

IT IS SO STIPULATED.

DATED: September 26, 2014

QUINN EMANUEL URQUHART  
& SULLIVAN, LLP

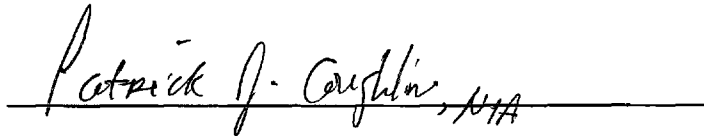
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DATED: September 26, 2014

**ROBBINS GELLER RUDMAN  
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A handwritten signature in black ink, reading "Patrick J. Coughlin", is written over a horizontal line. The signature is fluid and cursive, with a small "MA" or similar mark at the end.

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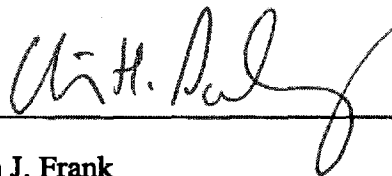
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**Attorneys for Plaintiff**

DATED: September 26, 2014

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Attorney for Nomura Securities International, Inc.

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: September 29, 2014



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THE HONORABLE JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK

*me*